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PTO/SB/61 (10-00)

Approved for use through 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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PETITIONS OFFICE

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

Docket Number (Optional)

First named inventor: ROBERT M. FOOSGroup Art Unit: 3765Application Number: 09/472,743Examiner: GARY WELCHFiled: 12/27/99Title: ERGONOMIC FIELDING GLOVE

Attention: Office of Petitions  
Assistant Commissioner for Patents  
Box DAC  
Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions  
Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay

**1. Petition fee**

☒ small entity - fee \$ 55.00 (37 CFR 1.17(l)). Applicant claims small entity status.  
See 37 CFR 1.27.

☐ other than small entity - fee \$ \_\_\_\_\_ (37 CFR 1.17(l)).

**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in

the form of ISSUE FEE TRANSMITTAL (identify the type of reply):

☒ has been filed previously on 5/30/01  
☐ is enclosed herewith.

B. The issue fee of \$ 620.00

☐ has been paid previously on \_\_\_\_\_  
☒ is enclosed herewith.

[Page 1 of 3]

Burden Hour Statement: This form is estimated to take 1.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SB/61 (10-00)

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.

6/20/01

Date

Robert M. Fous

Signature

Robert M. Fous

Typed or printed name

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply)

THE ISSUE FEE IN THE ABOVE MATTER WAS DUE 6/1/2001. ON MAY 30, 2001 I FAXED THE ISSUE FEE TRANSMITTAL FORM AND THE FORM FOR PAYMENT BY CREDIT CARD TO THE USPTO. ON 6/5/2001 I WAS INFORMED BY MY BANK THAT AN UNAUTHORIZED TRANSACTION ON THE ACCOUNT USED TO PAY THE ISSUE FEE HAD OVERDRAWN THAT ACCOUNT. THE FUNDS WERE AVAILABLE IN THAT ACCOUNT FROM 5/31/01 THROUGH 6/4/01. ON 6/5/01 I BEGAN CALLING THE USPTO TO OFFER AN ALTERNATIVE PAYMENT METHOD. FINALLY ON THE MORNING OF 6/7/01, AFTER BEING PASSED THROUGH 7 DIFFERENT USPTO DEPARTMENTS I WAS ABLE TO TALK TO LESLIE MORRIS OF THE PETITIONS OFFICE. SHE CHECKED ON THE STATUS OF MY FAX TRANSMITTAL AND DETERMINED THAT ON THE MORNING OF 6/7/01 THE PATENT OFFICE HAD TILLED AND FAILED TO PROCESS THE TRANSACTION THROUGH THE NOW UNUSABLE ACCOUNT USED ORIGINALLY TO PAY THE ISSUE FEE. I WAS INFORMED I MUST NOW REVIVE THE ABANDONED PATENT. I FEEL THAT MY ABOVE EFFORT WAS DONE IN GOOD FAITH AND THAT BECAUSE THE FUNDS WERE AVAILABLE THRU 6/4/01, AND THAT I HAD NO CONTROL OR KNOWLEDGE THAT AN UNAUTHORIZED TRANSACTION WOULD OCCUR ON 6/5/01 THAT MY PETITION FOR REVIVAL AS A PATENT ABANDONED UNAVOIDABLY BE CONSIDERED VALID.

THANK YOU FOR YOUR CONSIDERATION.

(Please attach additional sheets if additional space is necessary)

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JUN 21 2001

PETITIONS OFFICE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNAVOIDABLY UNDER 37 CFR 1.137(a)****3. Terminal disclaimer with disclaimer fee**

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$\_\_\_\_\_ for a small entity of \$\_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

**4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.**

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

6/20/01

Date

Telephone

Number: (541) 513-5694

Robert M. Fous

Signature

ROBERT M. FOUS

Typed or printed name

2055 W. 25<sup>th</sup> AVE

Address

EUGENE, OR 97405

Enclosures: ☒ Fee Payment☐ Reply☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unavoidable delay☐**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.
- ☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

6/20/01

Date

Robert M. Fous

Signature

ROBERT M. FOUS

Typed or printed name of person signing certificate

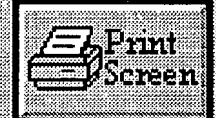
# Unsuccessful Authorization

## Processing Center Response

DECLINE

## Local Response

REFER TO FIELD #1004



Karen,

His credit card was declined. You need to call  
Mastercard at 1-800-944-1111

or

1-800-555-5707.

Our PTO Merchant # is 038100080015

Thank.

Liana